

# EXHIBIT A

## ALABAMA SJIS CASE DETAIL

PREPARED FOR: CHRISTY MEDLIN



County: **01** Case Number: **CV-2022-900375.00** Court Action:  
 Style: **EDDIE LEE WEBB SR. ET AL V. STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STE**

Real Time

## Case

## Case Information

County: **01-JEFFERSON - BIRMINGHAM** Case Number: **CV-2022-900375.00** Judge: **DEB: DONALD E. BLANKENSHIP**  
 Style: **EDDIE LEE WEBB SR. ET AL V. STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STE**  
 Filed: **02/07/2022** Case Status: **ACTIVE** Case Type: **NEGLIGENCE-GENERAL**  
 Trial Type: **JURY** Track: Appellate Case: **0**  
 No of Plaintiffs: **2** No of Defendants: **1**

## Damages

Damage Amt: **0.00** Punitive Damages: **0.00** General Damages: **0.00**  
 No Damages: Compensatory Damages: **0.00**  
 Pay To: Payment Frequency: Cost Paid By:

## Court Action

Court Action Code: Court Action Desc: Court Action Date:  
 Num of Trial days: **0** Num of Liens: **0** Judgment For:  
 Disposition Date of Appeal: Disposition Judge: Disposition Type:  
 Revised Judgement Date: Minstral: Appeal Date:  
 Date Trial Began but No Verdict (TBNV1):  
 Date Trial Began but No Verdict (TBNV2):

## Comments

Comment 1:  
 Comment 2:

## Appeal Information

Appeal Date: Appeal Case Number: Appeal Court:  
 Appeal Status: Origin Of Appeal:  
 Appeal To: Appeal To Desc: Lower Court Appeal Date:  
 Disposition Date Of Appeal: Disposition Type Of Appeal:

## Administrative Information

Transfer to Admin Doc Date: Transfer Reason: Transfer Desc:  
 Number of Subpoenas: Last Update: **02/07/2022** Updated By: **AJA**

## Parties

## Party 1 - Plaintiff INDIVIDUAL - WEBB EDDIE LEE SR.

## Party Information

Party: **C001-Plaintiff** Name: **WEBB EDDIE LEE SR.** Type: **I-INDIVIDUAL**  
 Index: **D STEELSUMMIT** Alt Name: Hardship: **No** JID: **DEB**  
 Address 1: **C/O MORGAN & MORGAN** Phone: **(205) 000-0000**

Address 2: 2317 3RD AVE. N., ST.102

City: BIRMINGHAM

State: AL

Zip: 35203-0000 Country: US

SSN: XXX-XX-X999

DOB:

Sex:

Race:

**Court Action**

Court Action:

Amount of Judgement: \$0.00

Court Action For:

Court Action Date:

Cost Against Party: \$0.00

Other Cost: \$0.00

Exemptions:

Comment:

Date Satisfied:

Warrant Action Date:

Warrant Action Status:

Arrest Date:

Status Description:

**Service Information**

Issued:

Issued Type:

Reissue:

Reissue Type:

Return:

Return Type:

Return:

Return Type:

Served:

Service Type:

Service On:

Served By:

Answer:

Answer Type:

Notice of No Service:

Notice of No Answer:

**Attorneys**

Number	Attorney Code	Type of Counsel	Name	Email	Phone
Attorney 1	FIS010		FISCHER ERBY JOHNSON II	EFISCHER@FORTHEPEOPLE.COM	(659) 204-6364

**Party 2 - Plaintiff INDIVIDUAL - WEBB ROBERTA****Party Information**

Party: C002-Plaintiff

Name: WEBB ROBERTA

Type: I-INDIVIDUAL

Index: D STEELSUMMIT

Alt Name:

Hardship: No

JID: DEB

Address 1: C/O MORGAN &amp; MORGAN

Phone: (205) 000-0000

Address 2: 2317 3RD AVE N., STE. 102

City: BIRMINGHAM

State: AL

Zip: 35203-0000 Country: US

SSN: XXX-XX-X999

DOB:

Sex:

Race:

**Court Action**

Court Action:

Amount of Judgement: \$0.00

Court Action For:

Court Action Date:

Cost Against Party: \$0.00

Other Cost: \$0.00

Exemptions:

Comment:

Date Satisfied:

Warrant Action Date:

Warrant Action Status:

Arrest Date:

Status Description:

**Service Information**

Issued:

Issued Type:

Reissue:

Reissue Type:

Return:

Return Type:

Return:

Return Type:

Served:

Service Type:

Service On:

Served By:

Answer:

Answer Type:

Notice of No Service:

Notice of No Answer:

**Attorneys**

Number	Attorney Code	Type of Counsel	Name	Email	Phone
Attorney 1	FIS010		FISCHER ERBY JOHNSON II	EFISCHER@FORTHEPEOPLE.COM	(659) 204-6364

**Party 3 - Defendant BUSINESS - STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STEEL****Party Information**

Party:	D001-Defendant	Name:	STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STEEL	Type:	B-BUSINESS
Index:	C WEBB EDDIE	Alt Name:		Hardship:	No
Address 1:	C/O CT CORPORATION SYSTEM			JID:	DEB
Address 2:	2 N. JACKSON ST, STE. 605			Phone:	(205) 000-0000
City:	MONTGOMERY	State:	AL	Zip:	36104-0000
SSN:	XXX-XX-X999	DOB:		Country:	US
				Sex:	
				Race:	

**Court Action**

Court Action:		Court Action Date:	
Amount of Judgement:	\$0.00	Exemptions:	
Cost Against Party:	\$0.00	Date Satisfied:	
Comment:		Arrest Date:	
Warrant Action Date:		Status Description:	
		Warrant Action Status:	

**Service Information**

Issued:	02/07/2022	Issued Type:	C-CERTIFIED MAIL	Reissue:		Reissue Type:	
Return:		Return Type:		Return:		Return Type:	
Served:		Service Type:		Service On:		Served By:	
Answer:		Answer Type:		Notice of No Service:		Notice of No Answer:	

**Attorneys**

Number	Attorney Code	Type of Counsel	Name	Email	Phone
Attorney 1	000000		PRO SE		

**Financial****Fee Sheet**

Fee Status	Admin Fee	Fee Code	Payor	Payee	Amount Due	Amount Paid	Balance	Amount Hold	Garnish Party
ACTIVE	N	AOCC	C001	000	\$8.56	\$8.56	\$0.00	\$0.00 0	
ACTIVE	N	CONV	C001	000	\$0.00	\$22.43	\$0.00	\$0.00 0	
ACTIVE	N	CVAP	C001	000	\$100.00	\$100.00	\$0.00	\$0.00 0	
ACTIVE	N	CV05	C001	000	\$306.00	\$306.00	\$0.00	\$0.00 0	
ACTIVE	N	JDMD	C001	000	\$100.00	\$100.00	\$0.00	\$0.00 0	
ACTIVE	N	VADM	C001	000	\$45.00	\$45.00	\$0.00	\$0.00 0	
Total:					\$559.56	\$581.99	-\$22.43	\$0.00	



**Financial History**

Transaction Date	Description	Disbursement Account	Transaction Batch	Receipt Number	Amount	From Party	To Party	Money Type	Admin Fee	Reason	Attorney	Operator
02/08/2022	CREDIT	CONV	2022089	2162210	\$22.43	C001	000		N			DOG
02/08/2022	RECEIPT	AOCC	2022089	2162200	\$8.56	C001	000		N			DOG
02/08/2022	RECEIPT	CVAP	2022089	2162220	\$100.00	C001	000		N			DOG
02/08/2022	RECEIPT	CV05	2022089	2162230	\$306.00	C001	000		N			DOG
02/08/2022	RECEIPT	JDMD	2022089	2162240	\$100.00	C001	000		N			DOG
02/08/2022	RECEIPT	VADM	2022089	2162250	\$45.00	C001	000		N			DOG

**Case Action Summary**

Date:	Time	Code	Comments	Operator
2/7/2022	8:44 PM	FILE	FILED THIS DATE: 02/07/2022 (AV01)	AJA
2/7/2022	8:44 PM	EORD	E-ORDER FLAG SET TO "Y" (AV01)	AJA
2/7/2022	8:44 PM	TDMJ	JURY TRIAL REQUESTED (AV01)	AJA
2/7/2022	8:44 PM	SCAN	CASE SCANNED STATUS SET TO: N (AV01)	AJA
2/7/2022	8:44 PM	STAT	CASE ASSIGNED STATUS OF: ACTIVE (AV01)	AJA
2/7/2022	8:44 PM	ASSJ	ASSIGNED TO JUDGE: DONALD E. BLANKENSHIP (AV01)	AJA
2/7/2022	8:44 PM	ORIG	ORIGIN: INITIAL FILING (AV01)	AJA
2/7/2022	8:44 PM	C001	C001 PARTY ADDED: WEBB EDDIE LEE SR. (AV02)	AJA
2/7/2022	8:44 PM	C001	INDIGENT FLAG SET TO: N (AV02)	AJA
2/7/2022	8:44 PM	C001	LISTED AS ATTORNEY FOR C001: FISCHER ERBY JOHNSON	AJA
2/7/2022	8:44 PM	C001	C001 E-ORDER FLAG SET TO "Y" (AV02)	AJA
2/7/2022	8:44 PM	C002	C002 PARTY ADDED: WEBB ROBERTA (AV02)	AJA
2/7/2022	8:44 PM	C002	LISTED AS ATTORNEY FOR C002: FISCHER ERBY JOHNSON	AJA
2/7/2022	8:44 PM	C002	C002 E-ORDER FLAG SET TO "Y" (AV02)	AJA
2/7/2022	8:44 PM	C002	INDIGENT FLAG SET TO: N (AV02)	AJA
2/7/2022	8:44 PM	D001	D001 PARTY ADDED: STEELSUMMIT HOLDINGS, INC. D/B/A	AJA
2/7/2022	8:44 PM	D001	CERTIFIED MAIL ISSUED: 02/07/2022 TO D001 (AV02)	AJA
2/7/2022	8:44 PM	D001	D001 E-ORDER FLAG SET TO "Y" (AV02)	AJA
2/7/2022	8:44 PM	D001	INDIGENT FLAG SET TO: N (AV02)	AJA
2/7/2022	8:44 PM	D001	LISTED AS ATTORNEY FOR D001: PRO SE (AV02)	AJA
2/7/2022	8:44 PM	ECOMP	COMPLAINT E-FILED.	FIS010
2/9/2022	9:07 AM	ESCAN	SCAN - FILED 2/9/2022 - NOTICE	KAD

**Images**

Date:	Doc#	Title	Description	Pages
2/7/2022 8:44:17 PM	1	CIVIL_COVER_SHEET	CIRCUIT COURT - CIVIL CASE	1
2/7/2022 8:44:17 PM	2	COMPLAINT		13
2/7/2022 8:44:56 PM	3	COMPLAINT - TRANSMITTAL	E-NOTICE TRANSMITTALS	2
2/7/2022 8:44:56 PM	4	COMPLAINT - SUMMONS	E-NOTICE TRANSMITTALS	1
2/9/2022 9:07:42 AM	5	NOTICE	TO CLERK	2



END OF THE REPORT



ELECTRONICALLY FILED

2/7/2022 8:44 PM

01-CV-2022-900375.00

CIRCUIT COURT OF

JEFFERSON COUNTY, ALABAMA

Ca: 01 JACQUELINE ANDERSON SMITH, CLERK

Date of Filing:  
02/07/2022

Judge Code:

State of Alabama  
Unified Judicial System  
Form ARCiv-93 Rev. 9/18

**COVER SHEET**  
**CIRCUIT COURT - CIVIL CASE**  
(Not For Domestic Relations Cases)

**GENERAL INFORMATION**

**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA**  
**EDDIE LEE WEBB SR. ET AL v. STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STEEL**

**First Plaintiff:** ☐ Business ☒ Individual **First Defendant:** ☒ Business ☐ Individual  
☐ Government ☐ Other ☐ Government ☐ Other

**NATURE OF SUIT:** Select primary cause of action, by checking box (check only one) that best characterizes your action:

**TORTS: PERSONAL INJURY**

- ☐ WDEA - Wrongful Death  
☒ TONG - Negligence: General  
☐ TOMV - Negligence: Motor Vehicle  
☐ TOWA - Wantonness  
☐ TOPL - Product Liability/AEMLD  
☐ TOMM - Malpractice-Medical  
☐ TOLM - Malpractice-Legal  
☐ TOOM - Malpractice-Other  
☐ TBFM - Fraud/Bad Faith/Misrepresentation  
☐ TOXX - Other: \_\_\_\_\_

**TORTS: PERSONAL INJURY**

- ☐ TOPE - Personal Property  
☐ TORE - Real Property

**OTHER CIVIL FILINGS**

- ☐ ABAN - Abandoned Automobile  
☐ ACCT - Account & Nonmortgage  
☐ APAA - Administrative Agency Appeal  
☐ ADPA - Administrative Procedure Act  
☐ ANPS - Adults in Need of Protective Service

**OTHER CIVIL FILINGS (cont'd)**

- ☐ MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/ Enforcement of Agency Subpoena/Petition to Preserve  
☐ CVRT - Civil Rights  
☐ COND - Condemnation/Eminent Domain/Right-of-Way  
☐ CTMP - Contempt of Court  
☐ CONT - Contract/Ejectment/Writ of Seizure  
☐ TOCN - Conversion  
☐ EQND - Equity Non-Damages Actions/Declaratory Judgment/ Injunction Election Contest/Quiet Title/Sale For Division  
☐ CVUD - Eviction Appeal/Unlawful Detainer  
☐ FORJ - Foreign Judgment  
☐ FORF - Fruits of Crime Forfeiture  
☐ MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition  
☐ PFAB - Protection From Abuse  
☐ EPFA - Elder Protection From Abuse  
☐ QTLB - Quiet Title Land Bank  
☐ FELA - Railroad/Seaman (FELA)  
☐ RPRO - Real Property  
☐ WTEG - Will/Trust/Estate/Guardianship/Conservatorship  
☐ COMP - Workers' Compensation  
☐ CVXX - Miscellaneous Circuit Civil Case

**ORIGIN:** F ☒ INITIAL FILING

A ☐ APPEAL FROM DISTRICT COURT

O ☐ OTHER

R ☐ REMANDED

T ☐ TRANSFERRED FROM OTHER CIRCUIT COURT

**HAS JURY TRIAL BEEN DEMANDED?** ☒ YES ☐ NO

**Note:** Checking "Yes" does not constitute a demand for a jury trial. (See Rules 38 and 39, Ala.R.Civ.P, for procedure)

**RELIEF REQUESTED:** ☒ MONETARY AWARD REQUESTED ☐ NO MONETARY AWARD REQUESTED

**ATTORNEY CODE:**

FIS010

2/7/2022 8:44:20 PM

Date

/s/ ERBY JOHNSON FISCHER MR.

Signature of Attorney/Party filing this form

**MEDIATION REQUESTED:** ☐ YES ☐ NO ☒ UNDECIDED

**Election to Proceed under the Alabama Rules for Expedited Civil Actions:** ☐ YES ☐ NO





ELECTRONICALLY FILED

2/7/2022 8:44 PM

01-CV-2022-900375.00

CIRCUIT COURT OF

JEFFERSON COUNTY, ALABAMA

JACQUELINE ANDERSON SMITH, CLERK

## IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

**EDDIE LEE WEBB, SR.**, an individual, §  
and **ROBERTA WEBB**, an individual, §

**PLAINTIFFS,** §

vs. §

CIVIL ACTION NO.: \_\_\_\_\_

**STEELSUMMIT HOLDINGS, INC. d/b/a** §

**MAGIC STEEL**, a corporation; and §

**FICTITIOUS PARTY DEFENDANTS:** §

**No. 1**, whether singular or plural, being the person or entity who or which loaded the steel materials involved in the January 29, 2022 incident made the basis of this case;

**No. 2**, whether singular or plural, being the person or entity who or which secured the steel materials involved in the January 29, 2022 incident made the basis of this case;

**No. 3**, whether singular or plural, being the person or entity who or which was responsible for inspecting, verifying, or ensuring the steel materials involved in the incident made the basis of this case were properly loaded on the date of the incident described herein;

**No. 4**, whether singular or plural, being the person or entity who or which was responsible for inspecting, verifying, or ensuring the steel materials involved in the incident made the basis of this case were properly secured on the date of the incident described herein;

**No. 5**, whether singular or plural, being the person or entity who or which failed to properly load the steel materials involved in the January 29, 2022 incident made the basis of this case;

**No. 6**, whether singular or plural, being the person or entity who or which failed to properly secure the steel materials involved in the January 29, 2022 incident made the basis of this case;

**No. 7**, whether singular or plural, being the person or entity who or which caused or allowed the steel materials to fall on and/or strike Plaintiff EDDIE LEE WEBB, SR. on January 29, 2022;

**No. 8**, whether singular or plural, being the person or entity who or which was the employer, master, or principal of Fictitious Party Defendants Nos. 1 through 7, separately and severally, at the time of the January 29, 2022 incident made the basis of this case;

**No. 9**, whether singular or plural, being the person or entity for whom Fictitious Party Defendants Nos. 1 through 7, separately and severally, were performing some type of service or duty on January 29, 2022;

**No. 10**, whether singular or plural, being the person or entity on whose behalf and/or at whose direction the steel materials involved in the incident made the basis of this case were being loaded, secured, transported, unloaded, or otherwise handled on January 29, 2022 when the incident described herein occurred;

**No. 11**, whether singular or plural, being the person or entity who or which had supervisory authority related to the training, supervision, and retention of one or more Fictitious Defendants No. 1 - 7, separately and severally, at the time of the incident described herein;

**No. 12**, whether singular or plural, being that person, firm, corporation, or entity who or which

was the owner, lessor, or lessee of the premises(es) where any act, omission, or injury related to the incident made the basis of this case occurred;

**No. 12**, whether singular or plural, being that person, firm, corporation, or entity who or which controlled or had the right to control the premises(es) where any act, omission, or injury related to the incident made the basis of this case occurred;

**No. 13**, whether singular or plural, being that person, firm, corporation, or entity who or which was the owner, seller, distributor, or otherwise owned or had the right to control the steel materials involved in the incident on the date of the occurrence described herein;

**No. 14**, whether singular or plural, being that person, being firm, corporation, or entity – other than those described above – who or which acted, failed to act, or otherwise caused or contributed to cause the incident made the basis of this lawsuit and/or any injuries sustained by the Plaintiff on January 29, 2022;

**No. 15**, whether singular or plural, being the person or entity that provided any kind of liability insurance coverage for any named Defendant and/or Fictitious Party Defendant herein on the date of the incident made the basis of this lawsuit;

**No. 16**, whether singular or plural, being that person or entity who or which issued any policy of insurance which provided coverage of any kind whatsoever for the injuries and damages suffered by Plaintiff EDDIE LEE WEBB, SR. because of the January 29, 2022 incident made the basis of this lawsuit;

**No. 17**, whether singular or plural, being that person or entity who or which provided any insurance coverage of any kind, including excess and/or umbrella coverage, for any of the materials involved in the January 29, 2022 incident made the basis of this lawsuit; and/or for any employee, agent, servant, or contractor involved in any way in the incident made the basis of this case; and/or for any of the Named or Fictitious Defendants listed or described herein;

**No. 18**, whether singular or plural, being that entity – other than those entities described above – which is the parent, subsidiary, affiliate, or successor-in-interest of any of the named or fictitiously described Defendants in this lawsuit;

**No. 19**, whether singular or plural, being that person or entity – other than those described hereinabove – whose negligent, reckless, wanton, or otherwise wrongful actions or failures to act caused or contributed to cause the incident made the basis of this case; and,

**No. 20**, whether singular or plural, being that person or entity – other than those persons or entities described hereinabove – whose negligent, reckless, wanton, or otherwise wrongful actions or failures to act caused or contributed to cause the injuries and damages suffered by the Plaintiffs as a result of the January 29, 2022 incident made the basis of this case.

Plaintiffs aver that the identities of the Fictitious Party Defendants are otherwise unknown to them at this time, or, if their names are known to the Plaintiffs, their identities as proper party Defendants are not known but will be substituted by amendment when ascertained, in accordance with the Alabama Rules of Civil Procedure.

## **DEFENDANTS.**



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**COMPLAINT**

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**STATEMENT OF THE PARTIES**

1. Plaintiff EDDIE LEE WEBB, SR. is an individual over the age of nineteen (19) years and a resident of Tallapoosa County, Alabama who was severely and permanently damaged on January 29, 2022 in Jefferson County, Alabama.

2. Plaintiff ROBERTA WEBB is the spouse of Plaintiff Eddie Lee Webb, Sr., is an individual over the age of nineteen (19) years, and is a resident of Tallapoosa County, Alabama.

3. Defendant STEELSUMMIT HOLDINGS, INC. d/b/a MAGIC STEEL (hereafter "MAGIC STEEL") is a Delaware corporation with a facility in Morgan County, Alabama, who did business by agent in Jefferson County, Alabama at all times relevant to this Complaint.

4. Fictitious Party Defendants No. 1 through 20, as described in the caption of this Complaint, are those other persons, firms, corporations, or other entities – whether singular or plural – whose negligence, recklessness, wantonness, or otherwise wrongful actions or failures to act caused or contributed to cause the injuries and damages suffered by the Plaintiffs, as set forth and described herein. Plaintiffs aver that the true and correct names of Fictitious Party Defendants 1-20 are unknown to them at this time or, if their names are known, their identities as proper party defendants are not known but will be substituted by amendment when ascertained, in accordance with the Alabama Rules of Civil Procedure.

**STATEMENT OF THE FACTS**

5. Plaintiffs adopt and reallege all prior paragraphs as if set forth fully herein.

6. On January 29, 2022, Plaintiff Eddie Lee Webb was a truck driver who was tasked

to transport a load of steel products for, on behalf of, and/or at the request of Defendant MAGIC STEEL.

7. Upon information and belief, Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1 through 7 were responsible for properly loading the steel products onto Plaintiff Eddie Lee Webb, Sr.'s commercial vehicle on January 29, 2022.

8. Upon information and belief, Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1 through 7 were responsible for properly securing the loaded steel products onto Plaintiff's commercial truck before transport.

9. Upon information and belief, Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1 through 7 failed to properly load the steel products onto Plaintiff's commercial vehicle and/or failed to properly secure the steel products once they were loaded onto Plaintiff's truck.

10. Upon information and belief, Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1 through 7 used improper, unsafe, and/or incorrect materials when attempting to secure the steel products once they were loaded onto Plaintiff's truck.

11. Upon information and belief, a steel chain used to secure the steel materials on Plaintiff's truck broke, causing or allowing the steel materials to fall from Plaintiff's truck and strike Plaintiff Eddie Lee Webb Sr.'s body as he stood nearby.

12. As a result of the shifting or falling materials, Plaintiff EDDIE LEE WEBB, SR. was caused to suffer catastrophic and permanent physical injuries, including, but not limited to, crush injuries to his lower extremities requiring Plaintiff's left foot and right leg to be

amputated as a direct result. In addition, Plaintiff has suffered and will continue to suffer other physical injuries, extreme pain and suffering, loss of income and loss of future earning abilities, permanent physical handicaps, ongoing and future medical care needs, past and future medical bills and expenses, out of pocket costs and expenses, lost enjoyment of life, mental anguish, and emotional distress.

13. As a result of the incident set forth above, Plaintiff ROBERTA WEBB was caused to suffer loss of companionship, love, company, fellowship, society, affection, services, and comfort of her husband, Plaintiff Eddie Lee Webb, Sr., and will continue to suffer such loss of consortium in the future.

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**COUNT ONE**  
**NEGLIGENCE AND/OR WANTONNESS**

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14. Plaintiffs adopt and reallege all prior paragraphs as if set forth fully herein.

15. On January 29, 2022, in Jefferson County, Alabama, Plaintiff EDDIE LEE WEBB, SR. suffered severe, permanent, and catastrophic injuries when he was struck by steel product that was caused or allowed to fall onto his body.

16. Upon information and belief, the steel product that struck Plaintiff had been loaded and/or secured to Plaintiff's truck by Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20.

17. At all times relevant hereto, Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20 owed Plaintiff Eddie Lee Webb, Sr. various duties of care, including, without limitation:

- a) The duty to properly and safely load the steel product onto Plaintiff's truck in a manner that did not cause or allow the load to shift or fall from the truck;
- b) The duty to properly and safely secure the steel product onto Plaintiff's truck in a manner that did not cause or allow the load to shift or fall from the truck;
- c) The duty to ensure the items or things used to secure the load to Plaintiff's truck were appropriate and safe for use to secure steel product for transport.

18. Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20 breached the duties of care owed to Plaintiff Eddie Lee Webb, Sr. on January 29, 2022 by:

- a) Negligently, recklessly and/or wantonly loading the steel product onto Plaintiff's truck in a manner that was improper or unsafe and that caused, allowed, or made the load more susceptible to shifting or falling;
- b) Negligently, recklessly and/or wantonly failing to secure and/or improperly securing the steel product onto Plaintiff's truck, such that it was caused or allowed to shift and/or fall from the truck;
- c) Negligently, recklessly and/or wantonly using improper and/or unsafe items or things to secure the load to Plaintiff's truck, including use of a chain that snapped or broke and caused or allowed the load to shift and/or fall onto Plaintiff.

19. Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20's actions and/or failures to act were negligent, reckless, careless, heedless, and/or were undertaken in willful or wanton disregard for the rights or safety of others, including Plaintiff Eddie Lee Webb, Sr.

20. As a proximate result of the negligent, reckless, and/or wanton actions or failures to act by Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20, Plaintiff Eddie Lee Webb, Sr. was caused to suffer injuries and damages, including, without limitation, the following:

- a) Severe physical injury and damage, including crush damage to his lower



extremities requiring amputation of his left foot and his right leg;

- b) Extreme physical pain and suffering, which Plaintiff has suffered and will continue to suffer in the future;
- c) Permanent physical injury and damage;
- d) Medical bills, costs, and expenses – including hospital, physician, and other related charges and expenses – which Plaintiff has incurred and will continue to incur in the future;
- e) Out-of-pocket costs and expenses, which Plaintiff has incurred and will continue to incur in the future;
- f) Lost income;
- g) Loss of future earning capacity;
- h) Lost enjoyment of life; and
- i) Severe mental anguish and emotional distress.

21. The negligence, recklessness, willfulness, and/or wantonness of Defendant MAGIC STEEL combined and concurred with the negligence, recklessness, willfulness, wantonness, or otherwise wrongful conduct of all other named and/or Fictitious Party Defendants, causing Plaintiff EDDIE LEE WEBB, SR. to suffer injuries and damages as a direct and proximate result.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff EDDIE LEE WEBB, SR. demands judgment against the named and fictitious defendants, jointly and severally, for compensatory and punitive damages in an amount to be determined by a struck jury, with interest and costs.

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**COUNT TWO**  
**RESPONDEAT SUPERIOR/VICARIOUS LIABILITY**

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22. Plaintiffs adopt and reallege all prior paragraphs as if set forth fully herein.

23. On January 29, 2022, in Jefferson County, Alabama, Plaintiff EDDIE LEE WEBB, SR. suffered severe, permanent, and catastrophic injuries when he was struck by steel product that was caused or allowed to fall onto his body.

24. Upon information and belief, the steel product that struck Plaintiff had been loaded and/or secured to Plaintiff's truck by Defendant MAGIC STEEL, by and through its agents, servants, or employees, and/or one or more Fictitious Party Defendants Nos. 1-20.

25. On January 29, 2022, one or more Fictitious Party Defendants Nos. 1-20 were the agent(s), servant(s), and/or employee(s) of Defendant MAGIC STEEL and were acting within the line and scope of said agency, service, or employment at the time of the incident made the basis of this case.

26. Alternatively, one or more Fictitious Party Defendants Nos. 1-20 were acting with the express, implied, and/or apparent authority of Defendant MAGIC STEEL, such that Defendant MAGIC STEEL is vicariously liable for the negligent, reckless, wanton, or otherwise wrongful actions or failures to act on the part of one or more Fictitious Party Defendants Nos. 1-20 on the occasion made the basis of this lawsuit.

27. As a proximate result of the negligent, reckless, and/or wanton actions or failures to act by Defendant MAGIC STEEL, by and through its agents, servants, or employees, Plaintiff Eddie Lee Webb, Sr. was caused to suffer injuries and damages, including, without

limitation, the following:

- a) Severe physical injury and damage, including crush damage to his lower extremities requiring amputation of his left foot and his right leg;
- b) Extreme physical pain and suffering, which Plaintiff has suffered and will continue to suffer in the future;
- c) Permanent physical injury and damage;
- d) Medical bills, costs, and expenses – including hospital, physician, and other related charges and expenses – which Plaintiff has incurred and will continue to incur in the future;
- e) Out-of-pocket costs and expenses, which Plaintiff has incurred and will continue to incur in the future;
- f) Lost income;
- g) Loss of future earning capacity;
- h) Lost enjoyment of life; and
- i) Severe mental anguish and emotional distress.

28. The negligence, recklessness, willfulness, and/or wantonness of Defendant MAGIC STEEL combined and concurred with the negligence, recklessness, willfulness, wantonness, or otherwise wrongful conduct of all other named and/or Fictitious Party Defendants, causing Plaintiff EDDIE LEE WEBB, SR. to suffer injuries and damages as a direct and proximate result.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff EDDIE LEE WEBB, SR. demands

judgment against the named and fictitious defendants, jointly and severally, for compensatory and punitive damages in an amount to be determined by a struck jury, with interest and costs.

---

**COUNT THREE**  
**NEGLIGENT/WANTON HIRING, TRAINING, AND SUPERVISION**

---

29. Plaintiffs adopt and reallege all prior paragraphs as if set forth fully herein.

30. On January 29, 2022, in Jefferson County, Alabama, Plaintiff EDDIE LEE WEBB, SR. suffered severe, permanent, and catastrophic injuries when he was struck by steel product that was caused or allowed to fall onto his body.

31. Upon information and belief, the steel product that struck Plaintiff had been loaded and/or secured to Plaintiff's truck by Defendant MAGIC STEEL, by and through its agents, servants, or employees, and/or one or more Fictitious Party Defendants Nos. 1-20.

32. Defendant MAGIC STEEL negligently and/or wantonly hired and retained its agents, servant, and/or employees, including one or more Fictitious Party Defendants Nos. 1-20.

33. Further, Defendant MAGIC STEEL negligently and/or wantonly failed to adequately train, supervise, and/or monitor the activities of its agents, servants, or employees, including one or more Fictitious Party Defendants Nos. 1-20, and negligently and/or wantonly failed to detect or deter the negligent, wanton, or otherwise wrongful actions or failures to act undertaken by its agents, servants, or employees, including one or more Fictitious Party Defendants Nos. 1-20, on the date of the incident made the basis of this case.

34. The negligence and/or wantonness of Defendant MAGIC STEEL and one or more Fictitious Party Defendants Nos. 1-20, jointly and severally, was the proximate and/or



combined and concurring cause of Plaintiff EDDIE LEE WEBB, SR.'s injuries and damages, as set forth in Counts I and II, herein.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff EDDIE LEE WEBB, SR. demands judgment against the named and fictitious defendants, jointly and severally, for compensatory and punitive damages in an amount to be determined by a struck jury, with interest and costs.

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**COUNT FOUR**  
**LOSS OF CONSORTIUM**

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35. Plaintiffs adopt and re-allege all prior paragraphs as if set forth fully herein.

36. On January 29, 2022, in Jefferson County, Alabama, Plaintiff EDDIE LEE WEBB, SR. suffered severe, permanent, and catastrophic injuries when he was struck by steel product that was caused or allowed to fall onto his body.

37. Upon information and belief, the steel product that struck Plaintiff had been loaded and/or secured to Plaintiff's truck by Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20.

38. As a result of the above-described incident, Plaintiff ROBERTA WEBB's spouse, Eddie Lee Webb, Sr., suffered severe injuries and damages, as set forth and described in Counts I and II of this Complaint.

39. Plaintiffs allege that the injuries and damages suffered by Eddie Lee Webb, Sr. were the direct and proximate result of the negligence, recklessness, willfulness, and/or wantonness of Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20, jointly and severally.

40. As a further consequence of the negligence, recklessness, willfulness, and/or wantonness of Defendant MAGIC STEEL and/or one or more Fictitious Party Defendants Nos. 1-20, Plaintiff ROBERTA WEBB was caused to suffer the following injuries and damages:

- a) The loss of companionship of her husband, Eddie Lee Webb, Sr.;
- b) The loss of love, company, fellowship, cooperation, assistance, society, affection, services, and comfort of her husband, Eddie Lee Webb, Sr.; and
- c) The loss of the right to the continuation of the normal marital relationship with her husband, Eddie Lee Webb, Sr.

**WHEREFORE PREMISES CONSIDERED,** Plaintiff ROBERTA WEBB demands judgment against the named and fictitious defendants, jointly and severally, for compensatory damages for loss of consortium in an amount to be determined by a struck jury, with interest and costs.

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**COUNT FIVE**  
**FICTITIOUS PARTIES**

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41. Plaintiffs adopt and re-allege every material averment in Counts One through Four of this Complaint as if fully set out herein, except that Plaintiffs substitute the words “Fictitious Party Defendants 1 - 20” for the named Defendant(s) in Counts One through Four, above.

42. Plaintiffs aver that the negligent, reckless, willful, wanton, or otherwise wrongful conduct of Fictitious Party Defendants 1-20 combined and concurred with the negligent, reckless, willful, wanton, or otherwise wrongful conduct of the named Defendant(s) herein to proximately cause the injuries and damages suffered by the Plaintiffs, as set forth and

described in Counts One through Four, above.

**WHEREFORE PREMISES CONSIDERED,** Plaintiffs EDDIE LEE WEBB, SR. and ROBERTA WEBB each demand judgment against the named and fictitious defendants, jointly and severally, for compensatory and punitive damages in an amount to be determined by a struck jury, with interest and costs.

**JURY DEMAND**

PLAINTIFFS DEMANDS A TRIAL BY STRUCK JURY ON ALL ISSUES IN THIS CAUSE.

Respectfully submitted,

/s/ Erby J. Fischer

Erby J. Fischer (FIS010)

**MORGAN & MORGAN BIRMINGHAM, PLLC**

2317 3rd Avenue North, Suite 102

Birmingham, Alabama 35203

T: 659.204.6363

F: 659.204.6388

efischer@forthepeople.com

COUNSEL FOR PLAINTIFFS

**PLEASE SERVE THE DEFENDANT VIA CERTIFIED MAIL AT:**

STEELSUMMIT HOLDINGS, INC. d/b/a MAGIC STEEL

Registered Agent: CT Corporation System

2 North Jackson Street, Suite 605

Montgomery, AL 36104



## AlaFile E-Notice

01-CV-2022-900375.00

To: ERBY JOHNSON FISCHER MR.  
efischer@forthepeople.com

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# NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

EDDIE LEE WEBB SR. ET AL V. STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STE  
01-CV-2022-900375.00

The following complaint was FILED on 2/7/2022 8:44:17 PM

Notice Date: 2/7/2022 8:44:17 PM

JACQUELINE ANDERSON SMITH  
CIRCUIT COURT CLERK  
JEFFERSON COUNTY, ALABAMA  
JEFFERSON COUNTY, ALABAMA  
716 N. RICHARD ARRINGTON BLVD.  
BIRMINGHAM, AL, 35203

205-325-5355  
jackie.smith@alacourt.gov





## AlaFile E-Notice

01-CV-2022-900375.00

To: STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STEEL  
C/O CT CORPORATION SYSTEM  
2 N. JACKSON ST, STE. 605  
MONTGOMERY, AL, 36104

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## NOTICE OF ELECTRONIC FILING

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IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

EDDIE LEE WEBB SR. ET AL V. STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STE  
01-CV-2022-900375.00

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**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA**

**EDDIE LEE WEBB SR. ET AL V. STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STE**

**NOTICE TO:** STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STEEL, C/O CT CORPORATION SYSTEM 2 N. JACKSON ST, STE. 605, MONTGOMERY, AL 36104

\_\_\_\_\_  
(Name and Address of Defendant)

THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S),

ERBY JOHNSON FISCHER MR. \_\_\_\_\_  
 \_\_\_\_\_  
 (Name(s) of Attorney(s))

WHOSE ADDRESS(ES) IS/ARE: 2317 3rd Ave North, BIRMINGHAM, AL 35203  
 \_\_\_\_\_  
 (Address(es) of Plaintiff(s) or Attorney(s))

THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.

**TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS:**

☐ You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant.

☒ Service by certified mail of this Summons is initiated upon the written request of EDDIE LEE WEBB SR.  
 pursuant to the Alabama Rules of the Civil Procedure. \_\_\_\_\_  
 (Name(s))

02/07/2022                      /s/ JACQUELINE ANDERSON SMITH      By: \_\_\_\_\_  
 (Date)                                      (Signature of Clerk)                      (Name)

☒ Certified Mail is hereby requested.                      /s/ ERBY JOHNSON FISCHER MR.  
 (Plaintiff's/Attorney's Signature)

**RETURN ON SERVICE**

☐ Return receipt of certified mail received in this office on \_\_\_\_\_  
 (Date)

☐ I certify that I personally delivered a copy of this Summons and Complaint or other document to \_\_\_\_\_  
 \_\_\_\_\_ in \_\_\_\_\_ County,  
 (Name of Person Served)                      (Name of County)

Alabama on \_\_\_\_\_  
 (Date)

\_\_\_\_\_  
 (Type of Process Server)

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 (Server's Signature)

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## NOTICE TO CLERK

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IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA  
EDDIE LEE WEBB SR. ET AL V. STEELSUMMIT HOLDINGS, INC. D/B/A MAGIC STE

01-CV-2022-900375.00

To: CLERK BIRMINGHAM  
clerk.birmingham@alacourt.gov

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C/O CT CORPORATION SYSTEM  
2 N. JACKSON ST, STE. 605  
MONTGOMERY, AL 36104

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<p>9590 9402 6456 0346 4010 16</p> <p>7021 2720 0003 4532 8947</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input checked="" type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	

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<p>Certified Mail Fee</p> <p>Extra Services &amp; Fees (check box, add fee as appropriate)</p> <p><input type="checkbox"/> Return Receipt (hardcopy) \$</p> <p><input type="checkbox"/> Return Receipt (electronic) \$</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery \$</p> <p><input type="checkbox"/> Adult Signature Required \$</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery \$</p> <p>Postage \$</p> <p>Total Postage and Fees \$</p> <p>Sent To</p> <p>Street and Apt. No., or PO Box No.</p> <p>City, State, ZIP+4®</p> <p>PS Form 3800, April 2015 PSN 7530-02-000-907 See Reverse for Instructions</p>	
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